1207 COOMBS STREET NAPA, CA 94559-1289

Tel: (707) 257-8935 Montgomery G. Frankel of Counsel

## MARK S. POLLOCK

LITIGATION COUNSEL
ENVIRONMENTAL COMPLIANCE

October 10, 1996

SIXTY (60) DAY NOTICE OF INTENT TO FILE SUIT FOR VIOLATION OF CALIFORNIA HEALTH & SAFETY CODE SECTION 25249.5 ET SEQ.

(PROPOSITION 65 VIOLATION)

TO: THE ATTORNEY GENERAL OF THE STATE OF CALIFORNIA; THE DISTRICT ATTORNEY FOR THE COUNTY OF NAPA AND ALL COUNTIES IN THE STATE OF CALIFORNIA; GENERAL ELECTRIC CO., (G.E.), PHILIPS LIGHTING COMPANY, PHILIPS ELECTRONICS NORTH AMERICA CORPORATION, AND THEIR AGENTS AND EMPLOYEES OF EACH OF THEM:

This Notice serves to alert you to a violation of Section 25249.5 of the California Health & Safety Code, the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65).

The noticing party is Bujor George Bostean, 8313 Gainford Street, Downey, CA 90240, who alleges exposure to mercury and mercury vapor compounds by General Electric Co., Philips Lighting Company, and Philips Electronics North America Corporation, and who may bring suit 60 days hereafter to correct this violation, pursuant to Health & Safety Code Section 25249.5(d).

The specific violations here alleged are the failure to give clear and reasonable warnings prior to knowingly and intentionally exposing individuals located within the entire State of California, to mercury vapor compounds resulting from the shattering, leaking, or breakage of fluorescent light tubes. Mercury and/or mercury compounds was listed July 1, 1990 by the State of California as a reproductive toxin, thereafter requiring a clear and reasonable warning of exposure to mercury and/or mercury compounds no later than July 1, 1991.

Page 2 NOTICE OF INTENT TO FILE SUIT

We would appreciate receiving from you prompt notification of your decision to pursue action under Section 25149.7(c) or your decision to decline to pursue such action. We anticipate your continued assistance in this matter.

Dated: 10/10 , 1996

LAW OFFICES OF MARK S. POLLOCK

By: MARI MONTGOMERY G. FRANKEL On behalf of BUJOR GEORGE BOSTEAN